JAMES E. WHITMIRE, III, ESQ.
Nevada Bar No. 6533
BRIAN W. BOSCHEE, ESQ.
Nevada Bar No. 7612
SANTORO, DRIGGS, WALCH,
KEARNEY, JOHNSON & THOMPSON
400 South Fourth Street, Third Floor
Las Vegas, Nevada 89101
Telephone: 702/791-0308

Attorney(s) for Defendant Wal-Mart Stores, Inc.

SANTORO, DRIGGS, WALCH, KEARNEY, JOHNSON & THOMPSON
400 SOUTH FOURTH STREET, THIRD FLOOR, LAS VEGAS, NEVADA 89101
(702) 791-0308 – FAX (702) 791-1912

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

MARGARET PICUS, an individual; on behalf of herself, and on behalf of all others similarly situated,

Plaintiffs,

v.

WAL-MART STORES, INC.; MENU FOODS INC.; DEL MONTE FOODS COMPANY; SUNSHINE MILLS, INC.; CHEMNUTRA, INC.; and DOES 1 through 100, inclusive,

Defendants.

CASE NO.: CV-S-00682-PMP-LRL

STIPULATION AND ORDER TO CONSOLIDATE CASES

Defendant WAL-MART STORES, INC. ("WAL-MART"), by and through its counsel, James E. Whitmire, III, Esq., and Brian W. Boschee, Esq., of the law firm of Santoro, Driggs, Walch, Kearney, Johnson & Thompson, Defendant DEL MONTE FOODS COMPANY ("DEL MONTE") by and through its counsel, Dawn Grossman, Esq., of the law firm of Cozen O'Conner, Defendant CHEMNUTRA, INC., ("CHEMNUTRA") by and through its counsel Nicholas M. Wieczorek, Esq., of the law firm of Morris, Polich & Purdy, LLP, and Plaintiff MARGARET PICUS ("PLAINTIFF") by and through her counsel, Robert B. Gerard, Esq., and Lawrence T. Osuch, Esq., of the law firm of Gerard & Osuch, LLP, hereby enter into this Stipulation and Order for the Consolidation of Cases. Wal-Mart, Del Monte, Chemnutra and Plaintiff are collectively referred to as the "Parties" in this Stipulation and Order. The Parties have agreed and stipulated to the entry of this Order for consolidation of cases 2:07-CV-00686-RLH-RJJ and 2:07-CV-00689-RLH-RJJ with case 2:07-CV-00682-PMP-LRL. Each case was

Dockets.Justia.com

SANTORO, DRIGGS, WALCH, KEARNEY, JOHNSON & THOMPSON
400 SOUTH FOURTH STREET, THIRD FLOOR, LAS VEGAS, NEVADA 89101
(702) 791-0308 – FAX (702) 791-1912

removed within one (1) day of each other without knowledge of each others removal. All Parties have the desire to have these cases consolidated.

IT IS HEREBY STIPULATED AND AGREED, by and between the parties hereto, through their respective counsel of record, that:

1. Cases 2:07-CV-00686-RLH-RJJ and 2:07-CV-00689-RLH-RJJ shall be consolidated with 2:07-CV-00682-PMP-LRL;
2. Case 2:07-CV-00682-PMP-LRL shall be the main case.

DATED this 20 day of June, 2007

SANTORO, DRIGGS, WALCH, KEARNEY, JOHNSON & THOMPSON

[signature]
JAMES E. WHITMIRE, III, ESQ.
Nevada Bar No. 6533
BRIAN W. BOSCHEE, ESQ.
Nevada Bar No. 7612
400 South Fourth Street, Third Floor
Las Vegas, Nevada 89101

Attorneys for Defendant Wal-Mart Stores, Inc.

DATED this ________ day of June, 2007

COZEN O'CONNER

____
DAWN GROSSMAN, ESQ.
Nevada Bar No. 6828
601 South Rancho Drive, Suite C-20
Las Vegas, NV 89106

Attorney for Defendant Del Monte Foods Co.

DATED this ________ day of June, 2007

MORRIS POLICH & PURDY, LLP

____
NICHOLAS M. WIECZOREK, ESQ.
Nevada Bar No. 6170
3980 Howard Hughes Pkwy, Suite 400
Las Vegas, NV 89169

Attorney for Defendant Chemnutra, Inc.

DATED this ________ day of June, 2007

GERARD & OSUCH, LLP

____
ROBERT B. GERARD, ESQ.
Nevada Bar No. 5323
LAWRENCE T. OSUCH, ESQ.
Nevada Bar No. 6771
2840 South Jones Boulevard
Building D, Suite 4
Las Vegas, NV 89146

Attorneys for Plaintiff Margaret Picus

IT IS SO ORDERED.

DATED this ____ day of ________, 2007.

____
Philip M. Pro
U.S. District Judge

removed within one (1) day of each other without knowledge of each others removal. All Parties have the desire to have these cases consolidated.

IT IS HEREBY STIPULATED AND AGREED, by and between the parties hereto, through their respective counsel of record, that:

1. Cases 2:07-CV-00686-RLH-RJJ and 2:07-CV-00689-RLH-RJJ shall be consolidated with 2:07-CV-00682-PMP-LRL;
2. Case 2:07-CV-00682-PMP-LRL shall be the main case.

DATED this __________ day of June, 2007

SANTORO, DRIGGS, WALCH, KEARNEY, JOHNSON & THOMPSON

____
JAMES E. WHITMIRE, III, ESQ.
Nevada Bar No. 6533
BRIAN W. BOSCHEE, ESQ.
Nevada Bar No. 7612
400 South Fourth Street, Third Floor
Las Vegas, Nevada 89101

Attorneys for Defendant Wal-Mart Stores, Inc.

DATED this __________ day of June, 2007

COZEN O'CONNER

____
DAWN GROSSMAN, ESQ.
Nevada Bar No. 6828
601 South Rancho Drive, Suite C-20
Las Vegas, NV 89106

Attorney for Defendant Del Monte Foods Co.

DATED this __________ day of June, 2007

MORRIS POLICH & PURDY, LLP

____
NICHOLAS M. WIECZOREK, ESQ.
Nevada Bar No. 6170
3980 Howard Hughes Pkwy. Suite 400
Las Vegas, NV 89169

Attorney for Defendant Chemnutra, Inc.

DATED this 20 day of June, 2007

GERARD & OSUCH, LLP

____
ROBERT B. GERARD, ESQ.
Nevada Bar No. 5323
LAWRENCE T. OSUCH, ESQ.
Nevada Bar No. 6771
2840 South Jones Boulevard
Building D, Suite 4
Las Vegas, NV 89146

Attorneys for Plaintiff Margaret Picus

IT IS SO ORDERED.

DATED this ____ day of ________, 2007.

____
Philip M. Pro
U.S. District Judge

SANTORO, DRIGGS, WALCH, KEARNEY, JOHNSON & THOMPSON
400 SOUTH FOURTH STREET, THIRD FLOOR, LAS VEGAS, NEVADA 89101
(702) 791-0308 – FAX (702) 791-1912

removed within one (1) day of each other without knowledge of each others removal. All Parties have the desire to have these cases consolidated.

IT IS HEREBY STIPULATED AND AGREED, by and between the parties hereto, through their respective counsel of record, that:

1. Cases 2:07-CV-00686-RLH-RJJ and 2:07-CV-00689-RLH-RJJ shall be consolidated with 2:07-CV-00682-PMP-LRL;
2. Case 2:07-CV-00682-PMP-LRL shall be the main case.

DATED this __________ day of June, 2007

SANTORO, DRIGGS, WALCH, KEARNEY, JOHNSON & THOMPSON

____
JAMES E. WHITMIRE, III, ESQ.
Nevada Bar No. 6533
BRIAN W. BOSCHEE, ESQ.
Nevada Bar No. 7612
400 South Fourth Street, Third Floor
Las Vegas, Nevada 89101

Attorneys for Defendant Wal-Mart Stores, Inc.

DATED this __________ day of June, 2007

COZEN O'CONNER

____
DAWN GROSSMAN, ESQ.
Nevada Bar No. 6828
601 South Rancho Drive, Suite C-20
Las Vegas, NV 89106

Attorney for Defendant Del Monte Foods Co.

DATED this __15__ day of June, 2007

MORRIS POLICH & PURDY, LLP

____
NICHOLAS M. WIECZOREK, ESQ.
Nevada Bar No. 6170
3980 Howard Hughes Pkwy, Suite 400
Las Vegas, NV 89169

Attorney for Defendant Chemnutra, Inc.

DATED this __________ day of June, 2007

GERARD & OSUCH, LLP

____
ROBERT B. GERARD, ESQ.
Nevada Bar No. 5323
LAWRENCE T. OSUCH, ESQ.
Nevada Bar No. 6771
2840 South Jones Boulevard
Building D, Suite 4
Las Vegas, NV 89146

Attorneys for Plaintiff Margaret Picus

IT IS SO ORDERED.

DATED this ____ day of ________, 2007.

____
Philip M. Pro
U.S. District Judge

Santoro, Driggs, Walch, Kearney, Johnson & Thompson
400 South Fourth Street, Third Floor, Las Vegas, Nevada 89101
(702) 791-0308 – fax (702) 791-1912

03027-12/175827.doc

Santoro, Driggs, Walch, Kearney, Johnson & Thompson
400 South Fourth Street, Third Floor, Las Vegas, Nevada 89101
(702) 791-0308 – fax (702) 791-1912

removed within one (1) day of each other without knowledge of each others removal. All Parties have the desire to have these cases consolidated.

IT IS HEREBY STIPULATED AND AGREED, by and between the parties hereto, through their respective counsel of record, that:

1. Cases 2:07-CV-00686-RLH-RJJ and 2:07-CV-00689-RLH-RJJ shall be consolidated with 2:07-CV-00682-PMP-LRL;
2. Case 2:07-CV-00682-PMP-LRL shall be the main case.

DATED this __________ day of June, 2007

SANTORO, DRIGGS, WALCH, KEARNEY, JOHNSON & THOMPSON

____
JAMES E. WHITMIRE, III, ESQ.
Nevada Bar No. 6533
BRIAN W. BOSCHEE, ESQ.
Nevada Bar No. 7612
400 South Fourth Street, Third Floor
Las Vegas, Nevada 89101

Attorneys for Defendant Wal-Mart Stores, Inc.

DATED this 13 day of June, 2007

COZEN O'CONNER

Dawn Grossman
DAWN GROSSMAN, ESQ.
Nevada Bar No. 6828
601 South Rancho Drive, Suite C-20
Las Vegas, NV 89106

Attorney for Defendant Del Monte Foods Co.

DATED this __________ day of June, 2007

MORRIS POLICH & PURDY, LLP

____
NICHOLAS M. WIECZOREK, ESQ.
Nevada Bar No. 6170
3980 Howard Hughes Pkwy, Suite 400
Las Vegas, NV 89169

Attorney for Defendant Chemnutra, Inc.

DATED this __________ day of June, 2007

GERARD & OSUCH, LLP

____
ROBERT B. GERARD, ESQ.
Nevada Bar No. 5323
LAWRENCE T. OSUCH, ESQ.
Nevada Bar No. 6771
2840 South Jones Boulevard
Building D, Suite 4
Las Vegas, NV 89146

Attorneys for Plaintiff Margaret Picus

IT IS SO ORDERED.

DATED this ____ day of ________, 2007.

____
Philip M. Pro
U.S. District Judge

Submitted by:
SANTORO, DRIGGS, WALCH,
KEARNEY, JOHNSON & THOMPSON

JAMES E. WHITMIRE, III, ESQ.
Nevada Bar No. 6533
BRIAN W. BOSCHEE, ESQ.
Nevada Bar No. 7612
400 South Fourth Street, Third Floor
Las Vegas, Nevada 89101

Attorneys for Defendant Wal-Mart Stores, Inc.

SANTORO, DRIGGS, WALCH, KEARNEY, JOHNSON & THOMPSON
400 SOUTH FOURTH STREET, THIRD FLOOR, LAS VEGAS, NEVADA 89101
(702) 791-0308 – FAX (702) 791-1912